GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Water Resources Dept., Allegation of Corruption against Sri Boddapalli Vijaya Kumar S/o. Late Arjuna Rao, 50 years, Technical Officer, O/o Executive Engineer, Irrigation Division, Visakhapatnam – Trapped on 24.07.2014 - Sanction of Prosecution – Orders – Issued.

WATER RESOURCES [VIG.I] DEPARTMENT

G.O.Ms.No. 90 Dated:18.08.2016.

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ORDER:-

Whereas, Sri Boddapalli Vijaya Kumar, S/o late Arjuna Rao, worked as Technical Officer, O/o Executive Engineer, Irrigation, Visakhapatnam Division from 30.06.2008 to 24.07.2014 and by virtue of the post held by him, he falls under the category of public servant as defined under section 2 (c) of the Prevention of Corruption Act, 1988.

2. Whereas, on 23.07.2014 at 09.00 hours, the complainant Sri Pudi Venkateswara Rao came to the office of DSP, ACB, Visakhapatnam Range, Visakhapatnam and lodged a written report against Sri Boddapalli Vijaya Kumar, Technical Officer, O/o Executive Engineer, Irrigation, Visakhapatnam Division, Visakhapatnam stating that he is a contractor and resident of Anakapalli and that in the year 2013-14, he got contract of civil work i.e., Flood Damage Repair to Goparaju Tank at Erukuvanipalem Village, Anakapalli Mandal, Visakhapatnam District worth Rs.4.51 lakhs through a tender vide agreement No.371/13-14. But, the work was not grounded due to heavy water in the said tank. He obtained EOAT from the Executive Engineer, Irrigation, Visakhapatnam Division till 31.07.2014 for the said work. On 03.03.2014, Sri B. Srinivasa Rao, Executive Engineer along with Deputy Executive Engineer and Asst. Engineer inspected the work place and on the instructions of Executive Engineer, the Asst. Engineer & Dy. Executive Engineer have submitted a work slip to Executive Engineer through Sri B. Vijaya Kumar, Head Draughtsman (Technical Officer) for verification. On 22.07.2014 at about 11 a.m. he approached Sri Boddapalli Vijaya Kumar and when enquired about his work slip, Sri Boddapalli Vijaya Kumar demanded bribe of Rs.15,000/- for scrutiny and forwarding the work slip to the Executive Engineer through proper channel. On his requests, Sri Boddapalli Vijaya Kumar reduced the bribe amount to Rs.10,000/- and instructed him to pay the same to him on 24.07.2014 at his office. But, as Pudi Venkateswara Rao was not willing to pay the bribe amount, he presented a report to the DSP, ACB, Visakhapatnam for taking necessary action;

3. Whereas, after following due procedure the DSP, ACB, Visakhapatnam Range registered the said report as a case in Cr.No.19/RCT-VSP/2014 for offence under section 7 of Prevention of Corruption Act, 1988 of ACB, Visakhapatnam Range, Visakhapatnam at 09.30 hours on 24.07.2014 and made arrangements to lay trap;

4. And whereas, on 24.07.2014 at about 12.20 hours, Sri Boddaplli Vijaya Kumar, Technical Officer was trapped when he further demanded and accepted the bribe amount of Rs.10,000/- from Pudi Venkateswara Rao his office. During the post trap proceedings, both hand fingers of Sri Boddapalli Vijaya Kumar, Technical Officer, when subjected to chemical test yielded

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positive results. In pursuance of the information given by Sri Vijaya Kumar, the tainted currency of Rs.10,000/- was recovered from his left side shirt pocket. The serial numbers of tainted amount i.e., Rs.10,000/- when compared with those of the serial numbers of the currency notes mentioned in pre-trap proceeding were found tallied. The inner linings of shirt pocket of Sri B. Vijaya Kumar also yielded positive result to the chemical test. The bribe amount of Rs.10,000/-, connected records and resultant solutions pertaining to this case were seized by the DSP, ACB, Visakhapatnam. He has also prepared rough sketch of scene of offence;

5. And whereas, the aforesaid acts of Sri Boddapalli Vijaya Kumar, S/o late Arjuna Rao, worked as Technical Officer, O/o Executive Engineer, Irrigation, Visakhapatnam Division, Visakhapatnam constitute the offences punishable under sections 7 & 13 (2) read with section 13 (1) (d) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988);

6. And whereas, the Government of Andhra Pradesh being the competent authority to remove Sri Boddapalli Vijaya Kumar, S/o late Arjuna Rao, worked as Technical Officer, O/o Executive Engineer, Irrigation, Visakhapatnam Division, Visakhapatnam from Government service after fully and carefully examining the material(viz., copy of FIR, copies of statements of witnesses, copies of documents, explanation of Sri Boddapalli Vijaya Kumar and final report of DG, ACB) placed before them in regard to the said allegations having regard to the facts and circumstances of the case, consider that Sri Boddapalli Vijaya Kumar, S/o late Arjuna Rao, Technical Officer, O/o Executive Engineer, Irrigation, Visakhapatnam Division, Visakhapatnam should be prosecuted in a court of law for the aforesaid offences.

7. Now, therefore, in exercise of the powers conferred by clause (b) of Sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri Boddapalli Vijaya Kumar, S/o late Arjuna Rao, Technical Officer, O/o Executive Engineer, Irrigation, Visakhapatnam Division, Visakhapatnam for the aforesaid offences punishable under section 7 and sub-section (2) of Section 13 read with clause (d) of Sub-section (1) of Section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

(SHASHI BHUSHAN KUMAR)
SECRETARY TO GOVERNMENT

To
The Director General, Anti-Corruption Bureau,
A.P. Hyderabad.
Copy to:
The Law (A) Dept.,
The Secretary to APVC., Hyderabad.
Sc/Sf.